

Message Text

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C O N F I D E N T I A L BERLIN 1358

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, UR

SUBJECT: HESS' HEALTH

REF: BERLIN 1271

1. SUMMARY: SOVIETS HAVE RENEGED ON PREVIOUS AGREEMENT BY THEIR DOCTOR THAT HESS COULD BE GIVEN TWO EXAMINATIONS ON OUT-PATIENT BASIS AT BRITISH MILITARY HOSPITAL. IN VIEW OF UNANIMOUS OPINION OF ALLIED DOCTORS THAT TESTS ARE URGENTLY REQUEIRED IN ORDER TO DETERMINE WHETHER HESS' SUBSTANTIAL WEIGHT LOSS OVER PAST TWO MONTHS HAS BEEN CAUSED BY MALIGNANCY, MISSIONS HAVE MADE TRIPARTITE APPROACH REQUESTING SOVIET EMBASSY TO RECONSIDER ITS POSITION. END SUMMARY.

2. AS REPORTED REFTTEL, FOUR DOCTORS AGREED JULY 24 THAT HESS SHOULD BE EXAMINED AS SOON AS HE WAS PHYSICALLY ABLE TO WITHSTAND FAIRLY RUGGED TESTS OF BOWELS AND KIDNEYS. WHILE IT WAS ASSUMED BUILD-UP PERIOD WOULD CARRY OVER INTO EARLY DAYS OF U.S. MONTH AT SPANDAU (AUGUST), SOVIET DOCTOR AGREED THAT IF PRISONER IMPROVED DURING LAST FEW WEEKS OF JULY SOVIETS WOULD INFORM BRITISH, WHO ARE RESPONSIBLE FOR HANDLING SECURITY DETAILS OF TESTS AT THEIR HOSPITAL.

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SOVIET DOCTOR ALSO PROMISED TO VISIT PRISONER AND CARRY OUT

URINALYSIS, AND SAID THAT IF HOSPITAL TESTS HAD NOT BEEN CARRIED OUT BY BEGINNING OF U.S. MONTH, U.S. DOCTOR COULD MAKE FINAL DECISION ON WHEN PRISONER COULD BE MOVED TO HOSPITAL.

3. SOVIET GOVERNOR INFORMED REGULAR QUADRIpartite SPANDAU GOVERNORS' MEETING JULY 26, HOWEVER, THAT HIS AUTHORITIES WERE STILL CONSIDERING PROPOSAL THAT HESS BE SENT OUT TO HOSPITAL, AND AT AUGUST 2 MEETING ACTING SOVIET GOVERNOR INFORMED HIS COLLEAGUES THAT DECISION OF SOVIET AUTHORITIES WAS NEGATIVE. SOVIETS SAID THEY QUESTIONED URGENCY OF TESTS (THUS AT LEAST PARTIALLY CONTRADICTING SOVIET DOCTOR), BUT THAT, IF ALLIES WERE CONCERNED, SOVIETS WOULD CONSENT TO TESTS BEING ADMINISTERED IN PRISON IN PRESENCE OF SOVIET DOCTOR. IN NO EVENT, HOWEVER, WOULD THEY PERMIT HESS TO LEAVE PRISON. WE LEARNED SUBSEQUENTLY THAT SOVIET DOCTOR HAS NOT SEEN HESS SINCE JULY 24.

4. ALLIED DOCTORS AGREE THAT SOVIET COUNTERPROPOSAL FOR TESTS IN PRISON IS INCONSISTENT WITH MEDICAL REQUIREMENTS AND ALSO FINANCIALLY UNREALISTIC. PRIMARY ELEMENT OF TESTS IS MAJOR X-RAY UNIT WHICH WOULD HAVE TO BE PURCHASED AND INSTALLED AT PRISON, WHICH WOULD TAKE AT LEAST SIX WEEKS, AND COST MINIMUM OF \$100,000.

5. DOCTORS ARE PRIMARILY CONCERNED THAT CAUSE OF HESS' PRESENT PHYSICAL AILMENT COULD BE CANCER. WORRISOME SYMPTOMS ARE WEIGHT LOSS OF FOURTEEN POUNDS IN JUNE AND JULY, ABDOMINAL MASS OF UNEXPLAINED ORIGIN DISCOVERED BY U.S. DOCTOR WHEN HE EXAMINED PRISONER AUGUST 1, AND BLOOD IN STOOL DISCOVERED BY U.S. DOCTOR AUGUST 7. HESS IS ALSO SUFFERING SOME LOSS OF VISION IN RIGHT EYE, WHICH, PENDING FURTHER EXAMINATION, CONCEIVABLY COULD INDICATE SPREAD OF MALIGNANCY. IN CIRCUMSTANCES DOCTORS CONSIDER IT IMPERATIVE TO CONDUCT EXAMINATION WITHIN MATTER OF DAYS. ALLIED DOCTORS AGREE THAT HESS, WHO HAS REGAINED THREE POUNDS SINCE BEING PLACED ON BUILD-UP DIET WITH MORE SUGARS BY U.S. DOCTOR, IS NOW STRONG ENOUGH TO UNDERGO TESTS, AND BRITISH HAVE DEVELOPED SECURITY PROCEDURES BASED ON PROCEDURES USED IN 1969, WHEN HESS WAS TEMPORARILY TRANS-

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REFERRED TO BRITISH MILITARY HOSPITAL FOR TREATMENT. (HESS TOLD U.S. DOCTOR AUGUST 1 HE WAS WILLING TO UNDERGO TEST.)

6. IN EFFORT TO CHANGE SOVIET POSITION, OR AT LEAST TO ESTABLISH CLEAR RECORD THAT SOVIETS ARE RESPONSIBLE IF HESS DOES NOT RECEIVE ADEQUATE MEDICAL TREATMENT, U.S. (CHAIRMAN) PROTOCOL OFFICER MADE FOLLOWING STATEMENT TO SOVIET EMBASSY PROTOCOL OFFICER ROMANOVSKU WHO WAS CALLING

ON OTHER BUSINESS AUGUST 8 (COPY WAS LEFT WITH ROMANOVSKY)C

" THE UNITED STATES, BRITISH AND FRENCH MISSIONS VERY MUCH REGRET THAT THE ACTING SOVIET GOVERNOR AT SPANDAU PRISON AT THE GOVERNORS' MEETING ON AUGUST 2 DID NOT PERCEIVE THE URGENCY ATTACHING TO THE MEDICAL TESTS WHICH THE FOUR DOCTORS AGREED, ON 24 JULY, SHOULD BE ADMINISTERED TO THE PRISONER. THE ACTING SOVIET GOVERNOR INDICATED, HOWEVER, THAT IF THE U.S., BRITISH AND FRENCH AUTHORITIES CONTINUED TO WISH SUCH TESTS, THE SOVIET AUTHORITIES WOULD NOT OBJECT TO THEM BEING CARRIED OUT AT THE PRISON WITH THE SOVIET DOCTOR IN ATTENDANCE.

" OUR AUTHORITIES CONTINUE TO BELIEVE THAT THESE TESTS ARE, AS AGREED BY THE DOCTORS ON JULY 24, MEDICALLY URGENT. THEY ARE MADE MORE SO BY THE DISCOVERY DURING THE COURSE OF AN EXAMINATION OF THE PRISONER BY THE UNITED STATES DOCTOR ON AUGUST 1, OF AN ABDOMINAL MASS OF UNEXPLAINED ORIGIN. WE CONSIDER THAT , IN PARTICULAR, IT IS NECESSARY TO DETERMINE WHETHER THIS MASS OR THE CONSIDERABLE WEIGHT LOSS THE PRISONER HAS EXPERIENCED OVER THE PAST SEVERAL MONTHS IS TO BE ATTRIBUTED TO A MALIGNANCY.

" THE FEASIBILITY OF ADMINISTERING THE TESTS TO THE PRISONER WITHIN THE PRISON HAS BEEN EXPLORED, AND IT HAS BEEN DETERMINED THAT IT WOULD BE SEVERAL MONTHS BEFORE THE NECESSARY EQUIPMENT COULD BE INSTALLED AND RENDERED OPERABLE AND THAT IT WOULD REQUIRE AN EXPENDITURE OF AT LEAST 100,000 DOLLARS PRIMARILY FOR THE PURCHASE AND INSTALLATION OF A MAJOR X-RAY UNIT. IT IS CONSIDERED THEREFORE THAT THE SOVIET SUGGESTION IS NOT CONSISTENT WITH THE MEDICAL REQUIREMENT OF EARLY TESTS AND DOES NOT ACCORD WITH ECONOMIC REALITY.
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" OUR AUTHORITIES ACCORDINGLY URGE THE SOVIET AUTHORITIES TO RECONSIDER THEIR POSITION ON THIS MATTER AND TO CONCUR IN THE ORIGINAL RECOMMENDATION OF THE FOUR DOCTORS THAT THESE TESTS BE ADMINISTERED TO THE PRISONER AT HOSPITAL ON AN OUT-PATIENT BASIS AS SOON AS POSSIBLE.

"THE FOLLOWING SUPPLEMENTARY POINTS MAY BE OF ASSISTANCE TO THE SOVIET AUTHORITIES IN REACHING THEIR DECISION. IT REMAINS THE VIEW OF OUR AUTHORITIES THAT SUCH TESTS CAN BE CARRIED OUT AT THE BRITISH MILITARY HOSPITAL WITHOUT SECURITY RISKS. THE BRITISH AUTHORITIES, WHO WOULD EXERCISE THE PRIMARY RESPONSIBILITY, HAVE ALREADY PREPARED A PAPER SETTING OUT SECURITY PROCEDURES, WHICH HAS BEEN GIVEN TO THE ACTING SOVIET GOVERNOR.

" IT LIKewise IS THE FIRM INTENTION OF THE UNITED STATES, BRITISH AND FRENCH AUTHORITIES THAT THE PRISONER SHALL BE ABSENT FROM THE PRISON ONLY FOR THE MINIMUM TIME REQUIRED TO CONDUCT EACH TEST, WHICH SHOULD NOT BE MORE THAN A FEW HOURS.

"THE UNITED STATES, BRITISH AND FRENCH AUTHORITIES WOULD CONFIRM THAT THEY ARE ACTING SOLELY FROM THE STANDPOINT, WHICH THEY BELIEVE THEY SHARE WITH THE SOVIET AUTHORITIES, THAT THEY HAVE A RESPONSIBILITY UNDER THE AGREEMENTS WHICH

HAVE ALWAYS GOVERNED OPERATION OF SPANDAU PRISON TO TAKE THE MEASURES NECESSARY TO ENSURE ADEQUATE MEDICAL TREATMENT OF PRISONERS WHO HAVE BEEN DELIVERED INTO THEIR CHARGE BY THE NUREMBERG TRIBUNAL."

7. WE SUSPECT SOVIET RELUCTANCE TO LET HESS OUT OF SPANDAU EVEN FOR FEW HOURS IS BASED ON 1969 EXPERIENCE, WHEN NUMBER OF CONCESSIONS ON PRISON PROCEDURES WERE GAINED BY ALLIES BEFORE THEY CONSENTED TO RETURNING HESS TO PRISON FROM HOSPITAL. PROTOCOL OFFICER THEREFORE MADE FURTHER POINT THAT WHILE SPANDAU REGULATIONS AGREED TO BY FOUR POWERS IN 1954. PROVIDED THAT BRITISH MILITARY HOSPITAL WOULD BE USED FOR SPANDAU PRISONERS, WE WOULD NOT OBJECT IN PRINCIPLE IF SOVIETS WISHED TO HAVE TESTS CONDUCTED AT SOVIET
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MILITARY HOSPITAL WITH ALLIED DOCTORS IN ATTENDANCE.

8. ROMANOVSKY SAID HE WOULD REPORT ALLIED APPROACH TO HIS AUTHORITIES. HE EXPLAINED THAT AFTER U.S. AND BRITISH LEGAL ADVISERS AND BRITISH POLAD HAD INFORMALLY URGED POSITIVE RESPONSE UPON HIM AT SPANDAU LUNCH AUGUST 1, HE HAD SPOKEN WITH AMBASSADOR YEFREMOV. ROMANOVSKY SAID YEFREMOV WAS INITIALLY COOL TO PROPOSAL BUT EVENTUALLY AGREED TESTS COULD BE CONDUCTED AT BRITISH MILITARY HOSPITAL AND SAID HE WOULD CHECK WITH COMMANDER IN CHIEF OF SOVIET FORCES GERMANY. (IT IS UNCLEAR FROM ROMANOVSKY'S RECITAL WHETHER SOVIET MILITARY OVERRULED YEFREMOV OR WHETHER ACTING SOVIET GOVERNOR HAD RECEIVED HIS INSTRUCTIONS FOR AUGUST 2 SPANDAU GOVERNORS' MEETING BEFORE YEFREMOV HAD CHANCE TO RAISE SUBJECT. ROMANOVSKY'S EXPLANATION SUGGESTS, HOWEVER, THAT NEW TRIPARTITE APPROACH MAY OFFER SOVIET EMBASSY OPPORTUNITY TO RAISE MATTER AGAIN WITH SOVIET MILITARY.

9. IF SOVIET RESPONSE IS NOT RECEIVED BY END OF WEEK, MISSION WILL CONSULT AGAIN ON WHAT FURTHER STEPS MIGHT BE TAKEN. BRITISH AMBASSADOR, NOW IN BERLIN, HAS SUGGESTED JOINT

APPROACH FROM ALLIED AMBASSADORS TO YEFREMOV. WE BELIVE THIS
MIGHT BE IN ORDER, BUT HAVE SUGGESTED PROPOSAL BE
COORDINATED IN BONN.KLEIN

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